

Utah Insurance Department  
State Office Building, Rm 3110  
Salt Lake City, UT 84114  
Telephone (801)538-3800  
Jen Christian  
Telephone 801.538.3172

**BEFORE THE INSURANCE COMMISSIONER  
STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT,

**RESPONDENT:**

David E. Lee  
95 Captain Pierce Road  
Scituate, MA 02066

License No. 363894

**NOTICE OF INFORMAL  
AGENCY ACTION  
AND ORDER**

**Docket No.** 2015-122 LC

Enf. Case No. 3682  
Judge Mark Kleinfeld  
Administrative Law Judge

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. § 31A-2-201, 31A-3-103 and 63G-4-201 and Utah Admin. Code R590-102. Based upon information contained in agency files or known to the Department, the Department asserts the following facts:

**FACTS**

1. Respondent is a licensed insurance producer authorized to do the business of insurance in the State of Utah holding License Number 363894.
2. On March 26, 2015, Respondent was assessed a fine in the amount of \$1,000 in the State of Rhode Island for failure to respond.

3. On July 31, 2015, the Utah Insurance Department attempted to contact Respondent via mail and email. No response was received.

4. On August 26, 2015, the Department attempted to contact Respondent via mail and email. No response was received.

5. On September 10, 2015, the Department attempted to contact Respondent via phone. No response was received.

6. As of today, September 21, 2015, Respondent has failed to respond to any of the Department's attempts to contact him. Respondent has violated §31A-2-202 by failing to respond to the inquiry of the Commissioner.

### **BASED UPON THE FOREGOING FACTS**

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated Utah Code Ann. § 31A-2-201.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

### **ORDER**

#### **IT IS HEREBY ORDERED:**

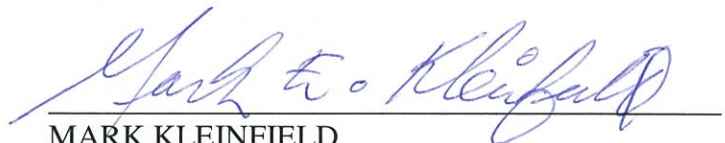
1. Respondent's is assessed an administrative forfeiture in the amount of \$500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries regarding the lack of payment of fees.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the Department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED THIS 22 day of Sept, 2015.

TODD E. KISER  
INSURANCE COMMISSIONER

A handwritten signature in blue ink, reading "Mark E. Kleinfeld", is written over a horizontal line.

MARK KLEINFELD  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

#### **NOTIFICATION**

If you request a hearing regarding this matter, please contact the Examiner, Jen Christian, at 801-538-3172. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

## CERTIFICATE OF MAILING

The undersigned certifies on this date, a true and correct copy of the forgoing NOTICE OF INFORMAL AGENCY ACTION AND ORDER was mailed, postage prepaid, to the following:

David Lee  
One Federal Street, 20th Floor  
Boston, MA 02110

David Lee  
95 Captain Pierce Road  
Scituate, MA 02066

DATED this 22<sup>Nd</sup> day of September, 2015.



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LINDA HARDY  
UTAH INSURANCE DEPARTMENT  
STATE OFFICE BUILDING, ROOM 3110  
SALT LAKE CITY, UT 84114-6901



## State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# Insurance Department

## UTAH Invoice - Original

DAVID E LEE  
LEE, DAVID E  
95 CAPTAIN PIERCE ROAD  
SCITUATE MA 02066

Printed Date: September 22, 2015  
Invoice Date: September 22, 2015  
Balance Due: \$500.00  
Due Date: October 27, 2015  
Invoice ID: 804201  
Payor ID: 1443671

Date	Item Description	Amount	
09-22-2015	Monetary Penalty Individual	\$500.00	E-Case 3682 Docket # 2015-122 LC

No Adjustments

No Payments

**Balance Amount Due** \$500.00

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## UTAH Invoice - Original

Make check payable to: Utah Insurance Department  
Send payment to:  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

Invoice Date: September 22, 2015  
Balance Due: \$500.00  
Due Date: October 27, 2015  
Invoice ID: 804201  
Payor ID: 1443671

E-Case 3682 Docket # 2015-122 LC

**Detach and Return this Voucher with Payment**  
Payments Will Not Be Processed without Voucher